

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rosemary Espinal	Team: Team # 2	CCRB Case #: 201104434	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 04/07/2011 7:44 PM	Location of Incident: § 87(2)(b)	Precinct: 81	18 Mo. SOL 10/7/2012	EO SOL 10/7/2012	
Date/Time CV Reported Thu, 04/07/2011 8:59 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 04/07/2011 8:59 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Francisco Delossantos	09057	928178	081 PCT
2. POM Daniel Nicoletti	27835	942271	081 PCT
3. Officers			

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers entered § 87(2)(b) in Brooklyn.	§ 87(2)(b)
B.POM Francisco Delossantos	Abuse: PO Francisco Delossantos entered § 87(2)(b) in Brooklyn.	§ 87(2)(b)
C.POM Daniel Nicoletti	Abuse: PO Daniel Nicoletti entered § 87(2)(b) in Brooklyn.	§ 87(2)(b)
D. Officers	Force: Officers used physical force against § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)

### Case Summary

On April 7, 2011, § 87(2)(b) called the CCRB and filed a complaint through the Call Processing System on behalf of her children, § 87(2)(b) and § 87(2)(b). § 87(2)(b) also filed the same complaint with the Internal Affairs Bureau (IAB Log #11-17324). § 87(2)(b) was not a witness to this incident. On April 7, 2011, at approximately 7:44 p.m., four plainclothes police officers, including Officers Francisco Delossantos and Daniel Nicoletti, who were identified through their shield numbers provided by § 87(2)(b) followed § 87(2)(b) to his apartment located at § 87(2)(b) in Brooklyn. As § 87(2)(b) prepared to close the door, the officers pushed their way into the apartment (**Allegations A, B, and C**). A struggle ensued when the officers pushed § 87(2)(b) to the ground in an attempt to handcuff him (**Allegation D**). § 87(2)(b)'s sisters, § 87(2)(b) and § 87(2)(b) who were in the apartment, got alarmed since they thought the plainclothes officers were intruders. § 87(2)(b) and § 87(2)(b) struggled with the officers and the officers pushed them against a wall (**within Allegations D**). The officers then told § 87(2)(b) and § 87(2)(b) to stay away and identified themselves as police officers. § 87(2)(b) was arrested for § 87(2)(b). § 87(2)(b) left a voicemail message and provided the shield numbers of two of the officers involved in this incident, shield #'s 9057 and 27835. According to the CCRB Complaint Tracking System, shield numbers 9057 and 27835 belong to Officers Francisco Delossantos and Daniel Nicoletti, respectively. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Between April 15, 2011 and May 5, 2011, the undersigned investigator placed five calls to § 87(2)(b) and § 87(2)(b) and left messages requesting a call back. On April 25, 2011, § 87(2)(b) and § 87(2)(b) scheduled an appointment for May 2, 2011. On May 2, 2011, § 87(2)(b) and § 87(2)(b) did not appear for their scheduled appointment and did not call to cancel. On April 13, 2011 and on April 19, 2011, the undersigned mailed six letters to § 87(2)(b) and § 87(2)(b) and the letters were not returned to the CCRB. A search of the Department of Correction inmate lookup service website confirmed that § 87(2)(b) and § 87(2)(b) are not incarcerated. To date, neither § 87(2)(b) nor § 87(2)(b) has made any attempt to contact the CCRB to pursue their complaint. § 87(2)(g)

§ 87(2)(b)

Team: \_\_\_\_\_

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Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature                      Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date